

1 DAVID M. FURBUSH (State Bar No. 83447)  
2 DHAIVAT H. SHAH (State Bar No. 196382)  
3 ROBERTA L. HARTING (State Bar No. 225067)  
4 O'MELVENY & MYERS LLP  
5 2765 Sand Hill Road  
6 Menlo Park, California 94025  
7 Telephone: (650) 473-2600  
8 Facsimile: (650) 473-2601  
9 E-Mail: dfurbush@omm.com  
10 dshah@omm.com  
11 rharting@omm.com

12 Attorneys for Defendant  
13 ELLEN M. HANCOCK

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

|   |   |
|---|---|
| In re<br><br>EXODUS COMMUNICATIONS, INC.<br>SECURITIES LITIGATION | Master File No. C-01-2661-MMC<br><br><b>[PROPOSED] ORDER DISMISSING<br/>NAMED PLAINTIFF MARTIN FOX</b><br><br>Honorable Maxine M. Chesney |
| This Document Relates To:<br><br>ALL ACTIONS.                     |   |

1 For good cause shown, IT IS HEREBY ORDERED that plaintiff Martin Fox's claims are  
2 dismissed for failure to prosecute, without prejudice to his submitting a claim as a member of the  
3 class if such class is certified and prevails.

4 IT IS SO ORDERED.

5

6 Dated: May 9, 2006

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



The Honorable Maxine M. Chesney  
United States District Judge